

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 17972 of 2005

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Dated:12.08.2005

Between:

Gurram Bhaskar Reddy, S/o.late Nagireddy,
Aged about 30 years, R/o.Kaniyampadu village,
Varikuntapadu Mandal, Nellore District.

..... PETITIONER

AND

The Mandal Revenue Officer, Varikuntapadu Mandal,
Nellore District.

.....RESPONDENT

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WRIT PETITION NO : 17972 of 2005

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ORDER:

This Writ Petition is filed declaring the proceedings of the respondent in R.C.B.609/05, dated 4.8.2005 proposing to cancel the possession certificate in respect of Ac.0.04 cents of land situated in Kaniyampadu Village, Varikuntapadu Mandal, Nellore District, wherein the petitioner's house property is located and further action of the respondent in seeking to dispossess the petitioner therefrom, as illegal, arbitrary and without jurisdiction.

The case of the petitioner is that to an extent Ac.0.04 cents of land is in his occupation for more than 12 years and he constructed a house therein and he is also carrying on his business. According to the petitioner, the respondent by his

proceedings F.Dis.No.96/2005, dated 15.3.2005 issued a house site declaration certificate in respect of the said land. While so, the respondent by the impugned notice, called for the explanation of the petitioner as to why the possession certificate granted in his favour should not be cancelled as he is using the land for commercial purpose. Pursuant to the said notice, the petitioner submitted his explanation. Pending consideration of the said explanation, the petitioner filed the Writ Petition contending that without passing any final orders, the respondent is contemplating to demolish the house of the petitioner.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the Writ Petition with a direction to the respondent to consider the explanation submitted by the petitioner and pass appropriate orders after giving due opportunity to the petitioner, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No costs.

(ELIPE DHARMA RAO, J)

Date:12-08-2005

Tsr.